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APPLICATION NO.		FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
^	10/701,537	11/05/2003	Purva R. Rajkotia	2003.07.004	8169	
		3990 7590 08/28/2007 DOCKET CLERK		EXAMINER		
P.O. DRAWER 800889				D AGOSTA, STEPHEN M		
	DALLAS, TX 75380			ART UNIT	PAPER NUMBER	
				2617		
				MAIL DATE	DELIVERY MODE	
				08/28/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/701,537	RAJKOTIA ET AL.	
Examiner	Art Unit	
Stephen M. D'Agosta	2617	

	Stephen M. D'Agosta	2617						
•	The MAILING DATE of this communication appears on the cover sheet with the	correspondence add	ress					
THE REPLY FILED 15 August 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.								
1. ⊠ The this plad a R	reply was filed after a final rejection, but prior to or on the same day as filing a Notice of application, applicant must timely file one of the following replies: (1) an amendment, after the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in equest for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply me periods:	Appeal. To avoid aba fidavit, or other evider compliance with 37 C	rce, which FR 41.31; or (3)					
a) 🗌 b) 🛚	The period for reply expiresmonths from the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f). To fit time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.	ng date of the final rejecti E FIRST REPLY WAS F	on. ILED WITHIN					
have been under 37 (set forth in may reduc	filed is the date for purposes of determining the period of extension and the corresponding amount (FR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply original (b) above, if checked. Any reply received by the Office later than three months after the mailing die any earned patent term adjustment. See 37 CFR 1.704(b). OF APPEAL	of the fee. The appropr ginally set in the final Offi	ate extension fee ce action; or (2) as					
filin	Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be g the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to tice of Appeal has been filed, any reply must be filed within the time period set forth in IENTS	o avoid dismissal of th						
3. ⊠ Th (a)∫	e proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief They raise new issues that would require further consideration and/or search (see NC They raise the issue of new matter (see NOTE below);		ecause					
(c)	They are not deemed to place the application in better form for appeal by materially reappeal; and/or	educing or simplifying	the issues for					
(d)	They present additional claims without canceling a corresponding number of finally re NOTE: <u>See Continuation Sheet</u> . (See 37 CFR 1.116 and 41.33(a)).	jected claims.						
_	e amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Coplicant's reply has overcome the following rejection(s):	ompliant Amendment	(PTOL-324).					
nor	wly proposed or amended claim(s) would be allowable if submitted in a separate -allowable claim(s).							
hov The	purposes of appeal, the proposed amendment(s): a) \(\times \) will not be entered, or b) \(\times \) who the new or amended claims would be rejected is provided below or appended. Status of the claim(s) is (or will be) as follows: im(s) allowed: \(\frac{1-22}{2} \).	ill be entered and an e	explanation of					
Cla Cla	m(s) objected to: m(s) rejected: <u>23 and 24</u> .							
	im(s) withdrawn from consideration: IT OR OTHER EVIDENCE							
8. 🔲 The bed	affidavit or other evidence filed after a final action, but before or on the date of filing a Nause applicant failed to provide a showing of good and sufficient reasons why the affidation to earlier presented. See 37 CFR 1.116(e).							
ente sho	affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the ered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appearing a good and sufficient reasons why it is necessary and was not earlier presented.	eal and/or appellant fa See 37 CFR 41.33(d)(ls to provide a I).					
	e affidavit or other evidence is entered. An explanation of the status of the claims after of the RECONSIDERATION/OTHER	entry is below or attacl	ned.					
11. 🔲 Th —	e request for reconsideration has been considered but does NOT place the application	in condition for allowa	nce because:					
	ote the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s)her:							

Continuation Sheet (PTO-303)

Continuation of 3. NOTE: claim 23 is clearly the broadest claim in the application and the amendment requires a new rejection to be put forth (along with a new search).

STEVE M. D'AGOSTA PRIMARY EXAMINER

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